

IN THE CIRCUIT COURT OF SCOTT COUNTY, MISSISSIPPI

SHANNON EASTER, MICHAEL GOODSON
JAY KILGORE, JIMMY SHOEMAKER,
DONALD WILKERSON, AND
JIMMY WILKERSON

PLAINTIFFS

VS.

CAUSE NO. 2018-CV-094-SC-ME

EIS OF TN, LLC, VINCIT GROUP,
EIS OF TENNESSEE ACQUISITION COMPANY, LLC
ABC CORPORATION, XYZ, LLC, ABC CO.,
KENNETH GEORGE, DOES 1-5

DEFENDANTS

COMPLAINT

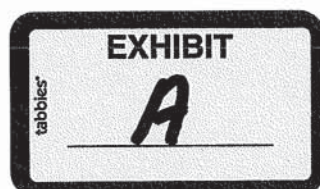
COMES NOW Shannon Easter, Michael Goodson, Jay Kilgore, Jimmy Shoemaker,
Donald Wilkerson and Jimmy Wilkerson and file this, their complaint for damages and for cause
would show unto the court the following:

1. Shannon Easter is an adult resident citizen of Scott County, Forest, Mississippi.
2. Michael Goodson is an adult resident citizen of Morton, Scott County,
Mississippi.
3. Jay Kilgore is an adult resident citizen of Pelahatchie, Rankin County,
Mississippi.
4. Jimmy Shoemaker is an adult resident citizen of Forest, Scott County,
Mississippi.
5. Donald Wilkerson is an adult resident citizen of Forest, Scott County, Mississippi.
6. Jimmy Wilkerson is an adult resident citizen of Forest, Scott County, Mississippi.
7. Kenneth George is an adult resident citizen of Morton, Scott County, Mississippi,
believed to reside at 4890 Hwy. 13 South.

**FILED FOR RECORD
IN THE CIRCUIT COURT
SCOTT COUNTY, MISSISSIPPI**

MAR 21 2018

REBECCA "BECKY" GRAY, CIRCUIT CLERK



8. EIS of TN, LLC is a foreign corporation doing business in Mississippi, which was dissolved February 9, 2015, but continued to do business in Mississippi after filing for dissolution. On information and belief, the parent company of EIS, LLC is the Vincit Group, not registered to do business in Mississippi.

9. EIS of Tennessee Acquisition Company, LLC, a foreign LLC, is believed to be the successor in interest to EIS of TN, LLC, which can be served on its registered agent National Registered Agents, Inc., 645 Lakeland East Drive, Suite 101, Flowood, Mississippi.

Facts

10. The plaintiffs listed above, with the exception of Jimmy Shoemaker, were hourly employees of EIS of TN, LLC who worked on various jobs in Scott County, Mississippi as well as elsewhere in Mississippi and other states and these workers were not paid for all of the hours they worked.

11. They complained to their supervisor, Jimmy Shoemaker, about their checks being short.

12. Jimmy Shoemaker complained to Kenneth George who supposedly spoke to management about the problem.

13. On information and belief, Kenneth George was making money from the working men being shorted on their checks as he, on information and belief, would receive bonuses or commissions on profits from jobs performed by these men who were under paid for their hours. He told Jimmy Shoemaker not to call the home office and complain about the mens' checks being short of the earned amounts.

14. In addition, on information and belief, EIS of TN, LLC and Vincit Group did not

pay the men's social security taxes or income taxes to the government and never produced to the plaintiffs W-2's showing the wages paid to them.

15. Kenneth George, on information and belief, recommended that Jimmy Shoemaker be fired for attempting to have his men paid their just wages.

16. Jimmy Shoemaker went to the home office in Tennessee to try to get the company to pay the men for their work, to no avail.

17. Jimmy Shoemaker was fired for reporting illegal activities, for attempting to get EIS of TN, LLC and Vincit Group to obey the law and pay the men their wages earned.

18. The plaintiffs' checks would be delivered to Kenneth George for distribution to them.

19. All of the plaintiffs are entitled to payment of wages owed to them, along with interest, benefits, overtime until the date wages are paid, and other damages to be proven at a trial on the merits.

20. EIS of TN, LLC and Vincit Group should be required to account for the taxes withheld and for the social security taxes not paid into their social security accounts and income tax accounts.

21. As a result of the illegal activities of the defendants, all of the plaintiffs were damaged by the negligent, gross negligence and intentional acts of defendants which entitle each to punitive damages as well as costs and attorney fees in bringing this action.

22. Jimmy Shoemaker is entitled to be paid an amount to be determined by a jury at a trial on the merits for his damages sustained as a result of defendants' firing him for reporting illegal activities.

23. Kenneth George engaged in a civil conspiracy with EIS of TN, LLC and its successors in interest to short the plaintiffs for their hours worked in order to enrich himself and EIS of TN, LLC.


24. Kenneth George engaged in activities that interfered with the plaintiffs' employment agreement with EIC of TN, LLC and its successors in interest in order to enrich not only himself but EIC of TN, LLC.

25. At all times relevant hereto, Kenneth George was an agent, employee or hired servant of the other defendants and they are liable for his actions pursuant to the doctrine of respondeat superior.

26. EIC of TN, LLC is liable for the plaintiffs' under paid social security withholdings taxes and other liabilities to be proven at a trial on the merits.

WHEREFORE, PREMISES CONSIDERED, plaintiffs demand judgment of and from defendants jointly and severally in an amount to compensate them for their lost wages and damages which will be proven at a trial on the merits, as well as punitive damages because of the defendants outrageous conduct which amount to independent torts, attorney fees, costs and for such other relief to which they may be entitled both general, specific, legal and equitable.

Respectfully submitted,
SHANNON EASTER, MICHAEL
GOODSON, JAY KILGORE,
JIMMY SHOEMAKER,
DONALD WILKERSON, AND
JIMMY WILKERSON


By: Clarence McDonald Leland MB# 9739